



OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/2-A/66

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Government of Goa, Daman and Diu, Ministerial and Stenographers Service (excepting Secretariat) Recruitment Rules, 1966 issued under Notification dated 29th April, 1966, published in the Government Gazette Series I, No. 5 dated 5th May, 1966 read with Notification of even number dated 13th June, 1969, published in Government Gazette Series I, No. 13 dated 26th June, 1969 namely:

1. *Short Title and Commencement:* (i) These rules may be called Government of Goa, Daman and Diu, Ministerial and Stenographers Services (excepting Secretariat) Recruitment (Fourth Amendment) Rules, 1970.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification against the post of Upper Division Clerk appearing at serial No. 2 for the existing entry in column 11 substitute:

"Promotion: Lower Division Clerks/Assistant Store or Godown Keepers or Store Clerk with 3 years service in the grade and Village Panchayat Secretaries with 5 years service in the grade".

By order and in the name of the Administrator of Goa, Daman and Diu.

S. N. Dhumak, Deputy Secretary (Appointments).
Panaji, 15th December, 1970.

Local Self Government Department

Notification

3-81-69-LSG

In exercise of the powers conferred by section 306 read with sub-section (2) of section 88 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of

1969) and all other powers enabling it in this behalf, the Government of Goa, Daman and Diu, hereby makes following rules the same having been previously published as required by sub-section (3) of the said section 306 of the said Act, namely:

1. *Short title.* — These rules may be called the Goa, Daman and Diu Municipalities (Transfer of Immovable Property) Rules, 1970.

2. *Definitions.* — In these rules, unless the context otherwise requires, —

(a) "Act" means the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969);

(b) "section" means a section of the Act.

3. *Application.* — These rules shall apply to all proposals of transfer of immovable property of a Council under section 88.

4. *Council may transfer immovable property not required by it.* — Subject to the provisions of section 88 and other provisions of the Act, a Council may transfer by sale, lease, exchange or otherwise, any immovable property vested in it, if such property is no longer required, or is not likely to be required in the near future, by it for the purposes of Act, or is of such a nature that it is in the interest of the Council to transfer such property.

5. *Transfer of immovable property yielding income ordinarily to be by public auction.* — No immovable property which yields, or is capable of yielding, an income shall be transferred by sale or lease, except to the highest bidder at a public auction:

Provided that, the Council may, for reasons to be recorded in writing and subject to the sanction of the Director, transfer such immovable property to any bidder, other than the highest bidder at the auction:

Provided further that, if the Council is of opinion that it is not desirable to hold a public auction, it may, with the sanction of the Director, effect such transfer without holding a public auction:

Provided also that, in the case of any transfer of immovable property by lease the Council shall reserve a reasonable annual rent which shall be payable during the whole term of the lease and in the case of transfer of such property by sale it shall reserve a reasonable sale value.

6. *Notice as to time and place of auction to be advertised by Chief Officer.* — When a transfer of immovable property is to be made by public auction, the time, date, place and the conditions of the auction shall, not less than fifteen days prior to the

date of auction, be advertised by the Chief Officer in one or more local newspapers. A copy of the notice shall also be affixed on the Notice Board of the Municipal Office and at the site of the immovable property and also at such other places, as the Chief Officer may consider desirable. The Chief Officer may also give such additional publicity by beat of drum or any other customary mode of publicity as he may consider it necessary.

7. Chief Officer to record reasons for postponement of auction.—The Chief Officer may for reasons to be recorded in writing postpone the public auction to be held for transfer of any immovable property and give sufficient publicity to the revised time, date and place.

8. Auction to take place under supervision of Chief Officer.—Every auction for transfer of immovable property shall take place under the supervision of the Chief Officer. However, if for sufficient reasons, it is not possible for the Chief Officer to conduct the auction, he shall, with the permission of the president, authorise in writing any other officer not below the rank of the Head Clerk in the employ of the Council, for the purpose.

9. Additional conditions of auction.—Every auction shall, in addition to any other conditions which the Council may think fit to impose, be subject to the following conditions, that is to say,—

(A) In the case of sale:—

(i) the highest bidder shall deposit 25 per cent. of the auction price immediately after his bid is accepted by the person under whose supervision the auction is held. He shall pay the balance and execute the deed of transfer within thirty days of the final acceptance of the bid when communicated to him. If he fails to deposit 25 per cent. of the auction price immediately, or to pay the balance within thirty days as aforesaid the property may be re-auctioned at his risk and cost. If the re-auction results in any loss to the Council, he shall be liable for it;

(ii) if the highest bid is not accepted by the Council, the amount deposited by the highest bidder shall be refunded to him. If a lower bid is accepted, the person whose bid is accepted shall pay the amount of such bid within thirty days of the acceptance of the bid when communicated to him. If he fails to do so, the property may be re-auctioned at his risk and cost. If the re-auction results in any loss to the Council, he shall be liable for it.

(B) In the case of lease:—

(i) the lessee shall deposit 25 per cent. of the annual rent, payable during the whole term of the lease within a week from the date the

Council communicates to him the acceptance of his bid. If he fails to do so, the property may be re-auctioned at his risk and cost. If the re-auction results in any loss to the Council, the lessee shall be liable for such loss. The Council shall refund the amount of deposit to the lessee immediately after the lease period is over, subject to the satisfactory fulfilment of the conditions of the lease, the lessee shall not earn interest on the said deposit;

(ii) the lessee shall not grant a sub-lease to any person without the prior sanction of the Council. If any lessee grants a sub-lease without the prior sanction of the Council, he shall cease to be a lessee from the date he is so informed by the Council, and shall be liable to forfeit the amount deposited by him.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Secretary, Industries & Labour.

Panaji, 4th December, 1970.

Planning Department

Notification

4-4-70-PLG

The Notification originally issued by the Ministry of Home Affairs, New Delhi is reproduced below for general information.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Planning).

Panaji, 22nd December, 1970.

MINISTRY OF HOME AFFAIRS

Notification

New Delhi, the 16th November, 1970

In exercise of the powers conferred by sub-section (3) of section 1 of the Registration of Births and Deaths Act, 1969 (18 of 1969), the Central Government hereby appoints the 1st January, 1971, as the date on which the said Act shall come into force in the whole of the Union Territory of Goa, Daman and Diu.

sd/-

No. 1-1(Enf)/70-VS

A. CHANDRA SEKHAR

Joint Secretary to the Govt. of India